IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 19699 of 2004

Between:

K. Nanda Kumar S/o late Ramaiah
Aged 59 years, Retired Accounts Officer,

O/o The Commissioner, Disabled Welfare,
M.J. Road, Hyderabad.

..... PETITIONER

AND

1. The Director of Treasuries and Accounts, A.P. Hyderabad
2. The Commissioner, Disabled Welfare Andhra Pradesh, Hyderabad
3. The Estate Officer, Hyderabad and Sec'bad at Khairatabad,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ order or Direction more particularly one in the nature of Writ of Mandamus, directing the respondents Nos.1 & 2 herein toforthwith release the Anticipatory Pension pertaining to the petitioner from 01-02-2003 up to date.

Counsel for the Petitioner: MR.N.VENKATARAYUDU

Counsel for the Respondent Nos. 1 to 3: GOVERNMENT PLEADER FOR TREASURIES AND ACCOUNTS.

The Court, at the stage of admission, made the following:

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ORDER:

The petitioner contends that he worked as an Accounts Officer in the second respondent organisation and retired from service on attaining superannuation on 31-01-2003. The petitioner contends that the pension papers were submitted through the second respondent and the second respondent in turn addressed the first respondent for fixing the pension of the petitioner, but so far no pension has been fixed. The petitioner further contends that during the pendency of fixation of the pension, he is entitled for anticipatory pension as per Rule 51 (A) (1) of Andhra Pradesh Revised Pension Rules, 1980 and he is entitled for 80% of anticipatory pension. The petitioner further contends that he is facing so many financial troubles due to health problems. Therefore, he approached this Court through this writ petition seeking to direct the respondents 1 and 2 to forthwith release the anticipatory pension w.e.f. 01-02-2003.

In the light of the circumstances explained by the petitioner, the respondents 1 and 2 are directed to arrange for release of the anticipatory pension pending finalisation of the final pension of the petitioner and pass appropriate orders within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed. No costs.

28.10.2004.

Lrkm.

To

1. The Director of Treasuries and Accounts, A.P. Hyderabad
2. The Commissioner, Disabled Welfare, Andhra Pradesh, Hyderabad
3. The Estate Officer, Hyderabad and Secunderabad at Khairatabad,

Hyderabad.

4. 2 CCs to the Government Pleader for Treasuries and Accounts, High

Court Buildings, High Court of A.P., Hyderabad (O.U.T).

5. 2 CD copies.